

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

CHRISTOPHER CHARLES FALCONE, :
Plaintiff :

v. :

NANCY BERRYHILL, ACTING
COMMISSIONER OF SOCIAL
SECURITY,
Defendant :

No. 3:16cv1705

(Judge Munley)

(Magistrate Judge Carlson)

ORDER

AND NOW, this 2nd day of June 2017, it is hereby **ORDERED** as follows:

1) The defendant's objections (Doc. 18) to the report and recommendation are **OVERRULED**;

2) Magistrate Judge Carlson's report and recommendation (Doc. 17) is **ADOPTED**;

3) The defendant's motion to dismiss (Doc. 10) is **DENIED** and

4) The Clerk of Court is directed to remand this case to Magistrate Judge Carlson for further proceedings, including scheduling the deadlines for the merits briefs and issuance of a report and recommendation on the merits.

BY THE COURT:

s/ James M. Munley —
JUDGE JAMES M. MUNLEY
United States District Court